

Amendments to the Drawings:

The drawings were objected to because FIG. 2 failed to show the details of the block diagram shown thereby. Accordingly, applicants propose to amend FIG. 2 to add the legends shown on the replacement sheet of FIG. 2 submitted with this amendment.

The Examiner's approval of the drawing correction is respectfully requested.

Attachment: Replacement Sheet

Remarks

Claims 8 and 10 are amended. Claims 1 to 10 are pending in this application of which only claims 1 and 9 are in independent form.

Claims 8 and 10 were rejected under 35 USC 112, second paragraph, because claims 8 and 10 lacked the antecedent basis for the phrase "the type of said motor". Claims 8 and 10 are amended to provide the needed antecedent basis for this phrase so that these claims should now be definite as required by the statute.

Claims 1 to 10 were rejected under 35 USC 102(b) as being anticipated by Morimoto et al. The following will show that independent claims 1 and 9 patentably distinguish the applicants' invention over this reference.

Morimoto et al discloses a motor control apparatus which is connected to an engine and controls driving functions as well as current generating functions of an electric motor. The motor control apparatus checks whether the engine is in the idle state in that the rpm of the engine is evaluated. The motor control can bring the engine rpm to a pregiven value. The motor control varies the engine rpm in that the motor control changes the operating state of the electric motor when a measured engine rpm deviates from the pregiven rpm for the idle operation mode of the engine. The engine rpm in the idle operating state becomes essentially constant and the quietness of the engine running is increased.

In Morimoto et al, a hybrid drive is disclosed wherein an electric motor and an internal combustion engine mutually support each other during driving or during the generation of current and especially the idle rpm of the internal combustion engine is stabilized.

Morimoto et al furthermore discloses a control for starting the internal combustion engine. Here, the only concern is, however, that the starting of the internal combustion engine is supported by the electric motor (see column 6, lines 49 to 55; column 11, lines 29 to 31; column 11, lines 59 to 61). With respect to a stop operation, Morimoto et al is concerned with the situation that, in the case that the engine loses the ability to maintain the idle state due to no fuel being metered or failure of the electrical system or mechanical trouble or a sudden clutch engagement, to stop the electric motor to prevent an unnecessary consumption of electrical energy (see column 14, line 64, to column 15, line 5). The stopping of the electric motor is, however, not the same as stopping the motor vehicle as set forth in applicants' claims 1 and 9.

In addition, Morimoto et al discloses at column 15, lines 15 to 23, that the idle operating state can also be maintained by the electric motor when the engine has once been stopped. In this case too, the stopping of the engine should not be confused with the stopping of the motor vehicle as set forth in applicants' claims 1 and 9.

Morimoto et al describes the mutual support of engine and electric motor when starting the vehicle (column 11, lines 59 to 61) as well as the stopping of the electric motor when the

engine is running (column 14, line 64, to column 15, line 5) and the stopping of the engine when the electric motor is running (column 15, lines 15 to 23).

A stopping of the motor vehicle as required by applicants' claims 1 and 9 is nowhere suggested in Morimoto et al. Morimoto et al only shows either the stopping of the electric motor or the stopping of the engine but not the stopping of the vehicle, that is, the stopping of the electric motor as well as the internal combustion engine. In contrast thereto, in column 11, lines 59 to 61, in Morimoto et al, the starting of the vehicle is described. However, Morimoto et al does not disclose how such a starting procedure is initiated, that is, for example, Morimoto et al discloses no command to the motor functions for starting the motor of the vehicle as in applicants' claims 1 and 9. The reason or triggering for starting the motor vehicle is nowhere disclosed in this reference.

This is also not really the subject matter of Morimoto et al. In Morimoto et al, the rpm of the internal combustion engine at idle is held as constant as possible by the support of the electric motor. In contrast to Morimoto et al, in applicants' claims 1 and 9, a special interface is formed between the motor functions on the one hand and the motor-independent vehicle functions on the other hand. At least one command is issued by the motor-independent vehicle functions to the motor functions for starting or stopping the engine of the vehicle via this interface for a starting operation or a stopping operation of the motor vehicle. Oppositely, at least one condition datum as to the motor and/or the motor functions is transmitted by the

motor functions via the above-mentioned interface to the motor-independent vehicle functions.

Nowhere in Morimoto et al is there any way our person of ordinary skill can hit upon the method steps of applicants' claim 1 which require:

"for a start operation or a stop operation, issuing at least one command by said vehicle functions via an interface to said motor functions for starting or stopping the motor of said motor vehicle; and,

transmitting at least one condition datum as to said motor and/or said motor functions by said motor functions via said interface to said vehicle functions."

Such an interface between the motor functions and the motor-independent vehicle functions is nowhere suggested in Morimoto et al. In the action, the view is expressed that such an interface is realized by the interface 150 in FIG. 5 of Morimoto et al. The interface 150 of Morimoto et al is, however, not explained further in this reference and is mentioned only at column 5, line 60. Accordingly, Morimoto et al does not suggest which functions communicate with each other via the interface on the one hand and which data or commands are transmitted via the interface on the other hand.

Thus, the features according to which, for a start operation or a stop operation, at least one command is issued by the vehicle functions via the interface to the motor functions for starting or stopping of the motor of the motor vehicle and at least one status datum is transmitted from the motor functions via the interface to the vehicle functions as to the motor and/or

the motor functions cannot be derived from Morimoto et al. With these features, the advantage is provided, however, that for a stop-start operation of the motor-driven vehicle, the motor functions can be disentangled from the motor-independent vehicle functions so that the method and apparatus of the invention can be used independently of the type of motor of the vehicle and also independently of the type of the realized start and stop operation. With the use of the interface of the applicants' invention, the vehicle functions and the motor functions with respect to the stop/start operation can be distributed as desired to any number of different control apparatus of the vehicle.

The above, however, bears no relationship to Morimoto et al wherein the primary concern is the stabilization of the idle speed of the engine.

In view of the foregoing, applicants submit that claims 1 and 9 patentably distinguish their invention over this reference. Claims 2 to 8 and 10 are all dependent from one of the two independent claims so that they too should now be allowable.

Reconsideration of the application is earnestly solicited.

Respectfully submitted,



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